

Senate File 2164 - Introduced

SENATE FILE _____
BY BEALL

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to water resource management by creating a water
2 resources coordinating council and providing for a state water
3 plan.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5873SS 82
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1 1 Section 1. NEW SECTION. 466B.1 DEFINITIONS.
1 2 For the purposes of this chapter, unless the context
1 3 otherwise requires:
1 4 1. "Council" means the water resources coordinating
1 5 council created in section 466B.2.
1 6 2. "Department" means the department of natural resources.
1 7 3. "Regional watershed" means a watershed of hydrologic
1 8 unit code scale 8.
1 9 4. "Subwatershed" means a watershed of hydrological unit
1 10 code scale 12 or smaller.
1 11 5. "Watershed" means a geographic area in which surface
1 12 water is drained by rivers, streams, or other bodies of water.
1 13 Sec. 2. NEW SECTION. 466B.2 WATER RESOURCES COORDINATING
1 14 COUNCIL.
1 15 1. COUNCIL ESTABLISHED. A water resources coordinating
1 16 council is established within the office of the governor.
1 17 2. PURPOSE. The purpose of the council shall be to
1 18 preserve and protect Iowa's water resources, and to coordinate
1 19 the management of those resources in a sustainable and
1 20 fiscally responsible manner. In the pursuit of this purpose,
1 21 the council shall use an integrated approach to water resource
1 22 management, recognizing that insufficiencies exist in current
1 23 approaches and practices, as well as in funding sources and
1 24 the utilization of funds. The integrated approach used by the
1 25 council shall attempt to overcome old categories, labels, and
1 26 obstacles with the primary goal of managing the state's water
1 27 resources comprehensively rather than compartmentally.
1 28 3. ACCOUNTABILITY. The success of the council's efforts
1 29 shall ultimately be measured by the following outcomes:
1 30 a. Whether the citizens of Iowa can more easily organize
1 31 local watershed projects.
1 32 b. Whether the citizens of Iowa can more easily access
1 33 available funds and water quality program resources.
1 34 c. Whether the funds, programs, and regulatory efforts
1 35 coordinated by the council eventually result in a long-term
2 1 improvement to the quality of surface water in Iowa.
2 2 4. MEMBERSHIP. The council shall consist of the following
2 3 members:
2 4 a. The director of the department of natural resources or
2 5 the director's designee.
2 6 b. The director of the soil conservation division of the
2 7 department of agriculture and land stewardship or the
2 8 director's designee.
2 9 c. The secretary of agriculture or the secretary's
2 10 designee.
2 11 d. The director of the department of public health or the
2 12 director's designee.
2 13 e. The director of the department of homeland security and
2 14 emergency management or the director's designee.
2 15 f. The dean of the college of agriculture at Iowa state
2 16 university or the dean's designee.
2 17 g. The dean of the college of public health at the
2 18 university of Iowa or the dean's designee.
2 19 h. The dean of the college of natural sciences at the

2 20 university of northern Iowa, or the dean's designee.
2 21 i. The director of the department of transportation or the
2 22 director's designee.
2 23 j. The director of the department of economic development
2 24 or the director's designee.
2 25 k. The director of the Iowa water center at Iowa state
2 26 university or the director's designee.
2 27 l. The governor, who shall be the chairperson, or the
2 28 governor's designee. As the chairperson, and in order to
2 29 further the coordination efforts of the council, the governor
2 30 may invite representatives from any other public agency,
2 31 private organization, business, citizen group, or nonprofit
2 32 entity to give public input at council meetings provided the
2 33 entity has an interest in the coordinated management of land
2 34 resources, soil conservation, or water quality. The governor
2 35 shall also invite and solicit advice from the following:
3 1 (1) The director of the Iowa water science center of the
3 2 United States geological survey or the director's designee.
3 3 (2) The state conservationist from the Iowa office of the
3 4 United States department of agriculture's natural resources
3 5 conservation service or the state conservationist's designee.
3 6 (3) The executive director for Iowa from the United States
3 7 department of agriculture's farm services agency or the
3 8 executive director's designee.
3 9 (4) The state director for Iowa from the United States
3 10 department of agriculture's office of rural development or the
3 11 state director's designee.
3 12 (5) The director of region seven of the United States
3 13 environmental protection agency or the director's designee.
3 14 (6) The corps commander from the United States army corps
3 15 of engineers' Rock Island district or the commander's
3 16 designee.
3 17 5. MEETINGS AND QUORUM.
3 18 a. The council shall be convened by the office of the
3 19 governor at least quarterly.
3 20 b. A majority of the members fixed by statute shall
3 21 constitute a quorum, and any action taken by the council must
3 22 be adopted by a majority of the voting membership.
3 23 6. EXPENSES AND REIMBURSEMENT. The members of the council
3 24 are entitled to receive reimbursement for actual expenses
3 25 incurred while engaged in the performance of official duties.
3 26 7. DUTIES.
3 27 a. The council shall engage in the regular coordination of
3 28 water resource-related functions, including protection
3 29 strategies, planning, assessment, prioritization, review,
3 30 concurrence, advocacy, education, and oversight.
3 31 b. In coordinating water resource-related functions, the
3 32 council shall do all of the following:
3 33 (1) Consider the steps necessary to address the planning,
3 34 management, and implementation of water resource improvement.
3 35 (2) Identify ways to facilitate communication and
4 1 participation among all water resource stakeholders, including
4 2 owners of land in Iowa whether they are residents or not.
4 3 (3) Identify inefficiencies in current programs and
4 4 recommend ways to eliminate duplicative services.
4 5 (4) Improve the availability and management of water
4 6 resource information.
4 7 (5) Provide incentives for, and recognition of,
4 8 environmental excellence.
4 9 (6) Regularly assess and identify measurable improvements
4 10 in water quality.
4 11 (7) Oversee a complete, statewide watershed assessment,
4 12 prioritization, and planning process, including a short-term
4 13 interim program and a long-term comprehensive state water plan
4 14 updated every five years as provided in sections 455B.5 and
4 15 455B.6.
4 16 (8) Develop a protocol which identifies high priority
4 17 watersheds, including local and community watersheds, and
4 18 which appropriately directs resources to those watersheds.
4 19 (9) Evaluate best available technologies on a regular
4 20 basis, so that investments of time and program resources can
4 21 be prioritized and directed to projects that will best and
4 22 most effectively improve water quality within regional and
4 23 community watersheds.
4 24 (10) Establish voluntary, performance-based standards for
4 25 water resource management, land management, and soil
4 26 conservation.
4 27 (11) Develop a protocol for assigning multiagency teams to
4 28 watersheds and local subwatersheds and guide those teams in
4 29 the coordination of citizen and agency activities within those
4 30 watersheds.

4 31 (12) Engage in dialogue with, and pursue efforts to make
4 32 cooperative agreements with, other states when a watershed
4 33 extends beyond borders of this state.
4 34 c. The council shall produce the following reports and
4 35 make them publicly available:
5 1 (1) Every two years, a summary of water quality throughout
5 2 the state, including known issues and problem areas.
5 3 (2) Every two years, a summary of water quantity
5 4 throughout the state, including known issues and problem
5 5 areas.
5 6 (3) Every two years, an assessment of the effectiveness of
5 7 the state water plan described in section 466B.3.
5 8 (4) Every five years, an inventory of water resources in
5 9 the state.
5 10 (5) Every five years, an assessment of the net economic
5 11 gain or loss associated with water quality improvement
5 12 efforts.
5 13 (6) As necessary, summaries of emerging issues, new
5 14 technology, and legal and regulatory developments.
5 15 Sec. 3. NEW SECTION. 466B.3 STATE WATER PLAN.
5 16 1. The water resources coordinating council shall develop
5 17 a state water plan to serve as a comprehensive framework for
5 18 the planning, management, and control of the state's water
5 19 resources.
5 20 2. The plan shall do all of the following:
5 21 a. Identify gaps in current water resource management
5 22 approaches.
5 23 b. Identify mechanisms for dealing with nonpoint source
5 24 pollution.
5 25 c. Apply scientific principles and approaches from
5 26 different academic and professional disciplines including
5 27 hydrologic and environmental engineering, economics, system
5 28 analysis, and information management to help predict and
5 29 manage water resource availability and quality. The
5 30 application of such principles and approaches shall be used to
5 31 develop detailed water models that do all of the following:
5 32 (1) Assess current and potential uses.
5 33 (2) Track the interaction of atmospheric, surface, and
5 34 groundwater.
5 35 (3) Monitor groundwater recharge rates.
6 1 (4) Measure surface evapotranspiration rates.
6 2 d. Propose mechanisms for ensuring the state's compliance
6 3 with all existing state and federal regulatory requirements.
6 4 The mechanisms shall include both of the following:
6 5 (1) Evaluation of all policies, laws, and institutional
6 6 practices dealing with water resource management.
6 7 (2) Recommendations for better efficiency and synergy
6 8 between existing policies and programs. Such programs include
6 9 but are not limited to wastewater, storm water, and wetland
6 10 dredging and permitting.
6 11 e. Include a protocol for determining whether the state's
6 12 water supply is of adequate quantity and acceptable quality at
6 13 all times.
6 14 f. Provide for a sustainable and cost-effective management
6 15 system that enables appropriate control, utilization, and
6 16 protection of surface and groundwater resources and that
6 17 preserves the ecological integrity of the state's natural
6 18 areas.
6 19 g. Include comprehensive emergency contingency plans for
6 20 modifying water usage patterns during times of flood, drought,
6 21 or other natural phenomena. These plans shall also provide
6 22 for public education about appropriate water usage patterns.
6 23 h. Provide for the evaluation and implementation of new
6 24 technology for improving and protecting water resources
6 25 including the development and funding of a long-term research
6 26 program. The council may establish an advisory technical
6 27 committee for the recommendation of technology and the
6 28 examination of research.
6 29 i. Provide for floodplain management strategies that
6 30 protect life and property and that minimize the impacts of
6 31 floods on natural areas.
6 32 j. Include a public relations and marketing campaign as
6 33 described in section 466B.7 to increase support for water
6 34 resource protection and conservation.
6 35 k. Address quantity and quality issues throughout the
7 1 hydrological life cycle.
7 2 l. Prioritize the state's watersheds by region based on
7 3 quantity, quality, and condition relative to other regional
7 4 watersheds. This prioritization shall use data collected from
7 5 the statewide evaluation described in section 466B.4.
7 6 Sec. 4. NEW SECTION. 466B.4 STATEWIDE WATER RESOURCES

7 7 EVALUATION.
7 8 1. The state water plan described in section 466B.3 shall
7 9 also provide for a statewide evaluation of water quantity and
7 10 quality. This evaluation shall include both local and
7 11 regional watersheds.
7 12 2. The regional watershed evaluation shall divide the
7 13 state into approximately fifty watersheds of equal size and
7 14 shall be completed within five years.
7 15 3. Information from the evaluation shall be provided to
7 16 local planning entities, citizen groups, and government
7 17 agencies for use in local watershed planning.
7 18 Sec. 5. NEW SECTION. 466B.5 LOCAL WATERSHED MANAGEMENT
7 19 PLANS == FUNDING.
7 20 1. The state water plan described in section 466B.3 shall
7 21 also facilitate local watershed management by providing a
7 22 process for involving communities in local watershed
7 23 management and planning. Citizen groups, local government
7 24 agencies, nonprofit organizations, and other community water
7 25 resource stakeholders may develop a local watershed management
7 26 plan and apply to the council for funds to assist in the
7 27 implementation of the plan.
7 28 2. A local watershed management plan shall be developed
7 29 specifically for a community or a subwatershed, and in
7 30 awarding funds, the council shall consider whether the
7 31 community or subwatershed is located in a high priority
7 32 regional watershed.
7 33 3. In addition to relative priority of a community or a
7 34 subwatershed, the council's award of funds shall be based on
7 35 how well the plan addresses the following considerations:
8 1 a. Overall land and water management practices and
8 2 objectives.
8 3 b. The identification of reasonable and beneficial public
8 4 uses, business uses, and recreational uses, including
8 5 projections of future demand on water resources.
8 6 c. The identification of potential concerns and conflicts
8 7 within the community or the watershed.
8 8 d. Floodplain management and flood mitigation planning,
8 9 including the sustainable development of, and occupancy levels
8 10 in, floodplain areas.
8 11 e. Urban and agricultural storm water and wastewater
8 12 management.
8 13 f. Sediment control and conservation practices.
8 14 g. Water reuse protocols and drought management planning.
8 15 h. Aquatic and riparian habitat, wetlands restoration,
8 16 threatened, endangered, or environmentally sensitive species,
8 17 and overall ecosystem integrity.
8 18 i. Regulatory compliance with federal laws, including the
8 19 federal Safe Drinking Water Act and Clean Water Act.
8 20 j. The cohesion, efficiency, and integration of existing
8 21 water management programs.
8 22 Sec. 6. NEW SECTION. 466B.6 MONITORING.
8 23 1. The state water plan described in section 466B.3 shall
8 24 establish a sustainable, statewide monitoring program. The
8 25 monitoring program shall evaluate and quantify ground and
8 26 surface water quality, quantity, and availability on a
8 27 continuing basis.
8 28 2. The monitoring program shall measure ambient water
8 29 quality and establish a stream gauging network and a
8 30 groundwater level network.
8 31 3. The monitoring program shall include mechanisms for
8 32 targeted monitoring of watershed management and restoration,
8 33 as well as focused research into emerging water management
8 34 issues and the continuing reassessment of current regulatory
8 35 compliance.
9 1 4. The monitoring program shall review current systems for
9 2 data collection by state and federal agencies and other water
9 3 resource stakeholders to identify best available technology
9 4 and methodology and to identify gaps in processes.
9 5 5. All data collected through the monitoring program shall
9 6 be made publicly available.
9 7 Sec. 7. NEW SECTION. 466B.7 PUBLIC RELATIONS CAMPAIGN.
9 8 1. The state water plan described in section 466B.3 shall
9 9 also include a public relations and marketing campaign
9 10 designed to foster a sense of public accountability for water
9 11 quality and increase Iowans' involvement in the protection of
9 12 surface and groundwater resources.
9 13 2. The campaign shall encourage the wise use of water
9 14 resources and enhance the conservation ethic of the state's
9 15 residents.
9 16 3. The campaign shall also teach the importance of water
9 17 resources to public health, welfare, and economic growth,

9 18 including the need to restore and enhance river corridors for
9 19 recreational, commercial, cultural, ecological, and aesthetic
9 20 reasons.

9 21 EXPLANATION

9 22 This bill relates to the creation of a state water plan.

9 23 The bill creates a water resources coordinating council
9 24 within the governor's office and specifies as members certain
9 25 state and federal government agency directors with authority
9 26 over water-related programs as well as experts in water
9 27 quality from the regents institutions. The council is charged
9 28 with coordinating governmental efforts to improve water
9 29 quality in an efficient and fiscally responsible manner. The
9 30 council is also charged with developing a state water plan and
9 31 with producing reports detailing the council's progress on a
9 32 regular basis.

9 33 The bill provides for the creation of a state water plan.

9 34 The plan includes a number of requirements such as identifying
9 35 gaps in current water resource management, identifying
10 1 mechanisms for dealing with nonpoint source pollution,
10 2 applying scientific principles and approaches to assessment
10 3 and monitoring activities, proposing mechanisms for ensuring
10 4 regulatory compliance, developing a protocol for determining
10 5 whether the water supply is of adequate supply and quality,
10 6 providing for sustainable and cost-effective management,
10 7 including comprehensive emergency contingency plans, providing
10 8 for the implementation of new technology, providing for
10 9 floodplain management, providing for a public education
10 10 campaign, addressing issues within the hydrological life
10 11 cycle, and prioritizing the state's watersheds by region.

10 12 The bill provides for a statewide watershed evaluation on a
10 13 regional basis. This evaluation is to be used as the basis
10 14 for the statewide prioritization required by the state water
10 15 plan.

10 16 The bill provides for the creation of local watershed plans
10 17 and requires that the state water plan facilitate the
10 18 implementation of these plans by local communities. Local
10 19 communities may apply to the council for funds to assist in
10 20 the implementation of the plans.

10 21 The bill requires the state water plan to provide for a
10 22 sustainable, statewide monitoring program.

10 23 Finally, the bill requires that the state water plan
10 24 include a public relations and marketing campaign to raise
10 25 water quality awareness among Iowans and to teach the
10 26 importance of water resources to public health and welfare.

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